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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,781	02/06/2002	Mark R. Hansen	077077-9143-00	3607

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EXAMINER

NGUYEN, HOAI AN D

ART UNIT PAPER NUMBER

2854

DATE MAILED: 03/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant(s)

Applicant(s)

10/071,781

HANSEN ET AL.

Examiner

Art Unit

Hoai-An D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sainio et al. (US 2002/0178952) in view of Roustaei (US 6,123,261).

Sainio et al. teaches a printing press register control using colorpatch targets comprising:

- Acquiring an image of the paper substrate (Page 8, Column 2 and line 5), with regard to claim 1.
- Processing the image to determine whether the color register marks are found therein (Page 8, Column 2 and lines 7-19), with regard to claim 1.

However, Sainio et al. does not explicitly disclose the following:

- Processing including using an FPGA.

Meanwhile, Roustaei teaches an optical scanner and image reader comprising:

- Processing including using an FPGA or ASIC in a microcomputer and image processing software (column 4, lines 19-22), with regard to claim 1.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Sainio et al. to incorporate the teaching of a processor using FPGA or ASIC taught by Roustaei since Roustaei teaches that such a combination is beneficial to provide an optical scanner and imager with increasing processing speed and image processing quality.

Sainio et al. also discloses the followings in his system:

- Image is acquired by a CCD scanner or camera (Paragraphs 40 and 42), with regard to claims 2.
- Paper substrate is a web (Page 8, claim 11), with regard to claim 3.
- The register marks are of a size equal to or smaller than 0.010 inch (Paragraphs 70), with regard to claim 4.
- The register marks are diamond shaped (Paragraphs 6), with regard to claim 5.

With regard to claims 6-12, Sainio et al. teaches a printing press register control using colorpatch targets comprising:

- Utilizing register marks having a size of equal to or less than 0.010 inch (Paragraphs 70), with regard to claim 6.
- Acquiring an image of the paper substrate (Page 8, Column 2 and line 5), with regard to claim 6.
- Analyzing the image for the color register marks (Page 8, Column 2 and lines 7-19), with regard to claim 6.

However, Sainio et al. does not explicitly disclose the followings:

- Analyzing including using an FPGA.

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- The printed color register marks are found on the substrate within 5 plate revolutions.

Meanwhile, Roustaei teaches an optical scanner and image reader comprising:

- Analyzing including using an FPGA or ASIC in a microcomputer and image processing software (column 4, lines 19-22), with regard to claim 6.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Sainio et al. to incorporate the teaching of a processor using FPGA or ASIC taught by Roustaei since Roustaei teaches that such a combination is beneficial to provide an optical scanner and imager with increasing processing speed and image processing quality.

With regard to the printed color register marks found on the substrate within 5 plate revolutions, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Sainio et al. to incorporate the teaching of a printing press that there are typically four color inking units black (K), cyan (C), magenta (M), and yellow (Y). The camera assembly should be arranged within these inking units, so it is clear that the printed color register marks are found on the substrate within 5 plate revolutions.

Sainio et al. also discloses the followings in his system:

- The register marks are diamond shaped (Paragraphs 6), with regard to claim 7.
- The register marks are in a pattern (Paragraphs 84), with regard to claim 8.
- The pattern includes four marks of one ink color and one mark of each of three other ink colors (Paragraphs 84), with regard to claim 9. Note that Sainio et al.

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does not explicitly disclose this feature, but it is still within the spirit and scope of the invention.

- The image is acquired by a camera (Paragraphs 40 and 42), with regard to claim 10.
- The camera is a CCD camera (Paragraphs 40 and 42), with regard to claim 11.
- The paper substrate is a web of paper (Page 8, claim 11), with regard to claim 12.

Contact Information

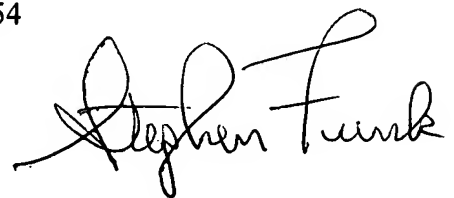
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoai-An D. Nguyen whose telephone number is (703) 305-3343. The examiner can normally be reached on M-F (8:00 - 5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Hoai-An D. Nguyen
Examiner
Art Unit 2854

HADN
March 24, 2003

A handwritten signature in black ink, appearing to read "Stephen Funk", with a stylized, flowing script.

**STEPHEN R. FUNK
PRIMARY EXAMINER**